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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA - SACRAMENTO DIVISION**

10
11 KEITH T. TOWNS,

12 Plaintiff,

13 vs.

14 AMERIQUEST MORTGAGE COMPANY,
TOWN AND COUNTRY TITLE
15 SERVICES, INC., NORTH AMERICAN
TITLE COMPANY, and DOES 1 TO 10,
16 inclusive,

17 Defendants.

CASE NO. S-04-1855 FCD PAN

**DEFENDANT AMERIQUEST
MORTGAGE COMPANY'S REQUEST
TO CONTINUE DEADLINE RE
PRETRIAL CONFERENCE
STATEMENT AND ORDER**

"AS MODIFIED"

18 Defendant Amerquest Mortgage Company ("Amerquest") hereby requests that
19 the parties' joint pretrial conference statement deadline be continued for approximately two
20 weeks. The current deadline for the revised pretrial statement is October 5, 2007. Counsel for
21 Amerquest is out of town in Washington, DC attending depositions in an unrelated matter the
22 week of October 1-5, 2007.

23 As set forth in the attached electronic mail dated October 1, 2007 from
24 Amerquest's counsel to Plaintiff's counsel, Amerquest has not received Plaintiff's proposed
25 revisions to the joint pretrial statement. Amerquest's counsel followed up on her email to
26 Plaintiff's counsel by having her assistant leave a telephonic message for Plaintiff's counsel on
27 October 2, 2007. To date, Amerquest has received no response to either its email or telephone
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1 message.

2 Prior to making this request, Ameriquest requested that Plaintiff stipulate to a brief
3 continuance to file the revised joint pretrial statement, as set forth in the proposed stipulation
4 attached to Ameriquest's counsel's October 1, 2007 electronic mail message. Ameriquest has not
5 received a response to its request.

6 Given that Ameriquest has not received a response to its email or any proposed
7 revisions from Plaintiff to the pretrial statement, completing the revisions to the joint pretrial
8 statement as requested by this Court will prove difficult given that the parties need to coordinate
9 the revisions and their counsel are currently located in two different time zones. Ameriquest
10 therefore respectfully request that this Court continue the joint pretrial statement due date.
11 Alternatively, Ameriquest requests that it be permitted to submit an individual revised pretrial
12 statement on or before October 12, 2007.

13 A continuance of the above-referenced deadline will not require a continuance of
14 either the March 28, 2008 pretrial conference hearing, or the May 6, 2008 trial date.


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16 DATED: October 3, 2007

BUCHALTER NEMER,
A Professional Corporation

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19 By: _____
MIA S. BLACKLER
Attorneys for Defendants
20 AMERIQUEST MORTGAGE COMPANY and
21 TOWN & COUNTRY TITLE SERVICES, INC.

22 The parties' Revised Joint Pretrial Conference Statement shall be filed on or before
23 October 12, 2007. The parties are reminded that failure to submit a JOINT statement may result
24 in the imposition of sanctions.

25 Dated: October 4, 2007

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FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE